

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 4:06CR65**

**KAY L. TERRY**

**ORDER**

This cause is before the Court on defendant's Motion for Continuance of Trial and Extension of Scheduling Order Deadlines [20]. The Court, having reviewed the motions and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for June 5, 2006. Counsel for defendant seek a continuance in order to complete additional investigation and to consult more fully with their respective client. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendants' motions are well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from June 5, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendants additional time to investigate and prepare their defenses to the charges at issue. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance of Trial and Extension of Scheduling Order

Deadlines [20] is GRANTED;

2. That the trial of this matter is continued until Monday, July 10, 2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from June 5, 2006 until July 10, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is June 19, 2006;
5. That the deadline for submitting a plea agreement is June 26, 2006.

SO ORDERED, this the 9th day of May, 2006.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE